IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.6741 of 2006
Date of Decision: 4.12.2006

M/s Kuka Rice and General Mills and another

Petitioners

versus

State Bank of India and others

Respondents

CORAM:- **HON'BLE MR. JUSTICE JASBIR SINGH**

HON'BLE MR. JUSTICE PRITAM PAL

Present: Shri K.K.Verma, Advocate for the petitioners
Shri Nitin Kumar, Advocate for respondent Nos.1 to 4
Shri N.K.Jain, Advocate for auction purchaser

Jasbir Singh, J. (Oral)

Admittedly, the petitioners are defaulter. It has been brought to our notice that the property had already been sold and the sale has been confirmed in favour of Raj Kumar, the auction purchaser, on whose behalf, Shri N.K.Jain, Advocate has put in appearance. Be that as it may, it is conceded position that against sale, appeal lies to the Debt Recovery Tribunal. In view of this, we relegate the petitioners to avail that remedy. As the petitioners had been pursuing this writ petition in this Court, we order that if appeal is filed within three weeks from today, the respondents shall not raise any objection regarding limitation. Counsel for the respondents have shown no opposition to the order passed. Liberty is also granted to the petitioner to move an application for interim stay and the Tribunal is directed to decide the same expeditiously.

(Jasbir Singh)
Judge

December 04, 2006 **(Pritam Pal)**

gk **Judge**